

**BAKER & MCKENZIE**

Attorneys at Law

805 Third Avenue  
New York, New York 10022  
Telephone: (212) 751-5700  
Facsimile: (212) 759-9133

RECEIVED  
CENTRAL FAX CENTER

OCT 30 2003

OFFICIAL

**FACSIMILE TRANSMISSION****DATE:** OCTOBER 30, 2003**PLEASE DELIVER AS SOON AS POSSIBLE TO:**

<u>TO</u>	<u>COMPANY</u>	<u>FAX NO.</u>	<u>PHONE NO.</u>
Examiner Gordon	USPTO	703-872-9310	
<u>FROM</u>	<u>PHONE</u>		
FRANK M. GASPARO, ESQ.			

**TOTAL NUMBER OF PAGES (INCLUDING THIS COVER PAGE): 18**

---

**PRIVACY AND CONFIDENTIALITY NOTICE**

---

The information contained in this facsimile is intended for the named recipients only. It may contain privileged and confidential information and if you are not an intended recipient, you must not copy, distribute or take any action in reliance on it. If you have received this facsimile in error, please notify us immediately by a collect telephone call to (212) 751-5700 and return the original to the sender by mail. We will reimburse you for postage. Thank you.

---

**MESSAGE**

---

**Re:** Application No. 09/873,842

Please see the attached response to the Office Action mailed July 14, 2003.

IF YOU HAD ANY TROUBLE RECEIVING THIS TRANSMISSION,  
PLEASE CALL 212-751-5700 EXT: IMMEDIATELY.

PTO/SB/21 (08-03)

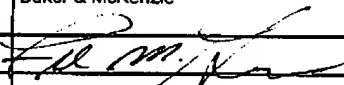
Approved for use through 08/30/2003. OMB 0651-0031

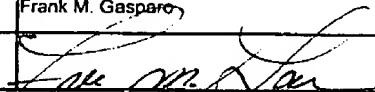
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/873,842	
	Filing Date	6/4/2001	
	First Named Inventor	Richard A. Cronenberg	
	Art Unit	1743	
	Examiner Name	Brian R. Gordon	
Total Number of Pages in This Submission	17	Attorney Docket Number	56154112-6

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks This correspondence is being facsimile transmitted to USPTO, at (703) 872-9310 on 10/30/03.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Frank M. Gasparo, Reg. No. 44,700 Baker & McKenzie
Signature	
Date	October 30, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Frank M. Gasparo		
Signature		Date	October 30, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/873,842  
Applicants : Cronenberg et al.  
Filing Date : 6/4/2001  
Art Unit : 1743  
Examiner : Brian R. Gordon

Confirmation No. 4024

Docket No. : 56154112-6  
Customer No. : 26453

RECEIVED  
CENTRAL FAX CENTER  
OCT 30 2003  
OFFICIAL

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Sir:

This Amendment is filed in response to the non-final Office Action mailed July 14, 2003, the time for responding having been extended one month to November 14, 2003. Please reconsider the claims in the application in view of the remarks set forth below.

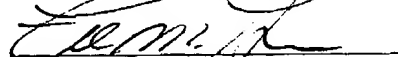
**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 12 of this paper.

---

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to Examiner Brian R. Gordon, Group Art Unit 1743, at the USPTO at (703) 872-9310 on the below date.

  
Frank M. Gaspare, Reg. No. 44,700

October 30, 2003  
Date

[NYC] 409869.1